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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARL BLESSING, on Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

-against-

SIRIUS XM RADIO INC,

Defendant.

No. 09 Civ. 10035 (HB)

EDWARD A. SCERBO, on Behalf of
Himself and All Others Similarly Situated,

Plaintiff,

-against-

SIRIUS XM RADIO INC.,

Defendant.

No. 09 Civ. 10209 (HB)

JOHN CRONIN, on Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

-against-

SIRIUS XM RADIO INC.,

Defendant.

No. 09 Civ. 10468 (HB)

CHARLES BONSIGNORE, on Behalf of
Himself and All Others Similarly Situated,

Plaintiff,

-against-

SIRIUS XM RADIO INC.,

Defendant.

No. 10 Civ. 526 (HB)

BRIAN BALAGUERA, on Behalf of Himself
and
All Others Similarly Situated,

Plaintiff,

-against-

SIRIUS XM RADIO INC.,

Defendant.

No. 10 Civ. 1058 (HB)

**ORDER CONSOLIDATING RELATED
CASES AND APPOINTING INTERIM CLASS COUNSEL**

This matter having come before the Court upon the motion of Plaintiff Carl Blessing for consolidation of related actions and appointment of interim class counsel (the "Motion"), and the Court being fully advised in the premises;

IT IS HEREBY ORDERED that:

1. The Motion be and the same hereby is granted;
2. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, *Edward A. Scerbo v. Sirius XM Radio Inc.*, No. 09 Civ. 10209 (HB), *John A. Cronin v. Sirius XM Radio Inc.*, No.

09 Civ. 10468 (HB), *Charles Bonsignore v. Sirius XM Radio Inc.*, No. 10 Civ. 526 (HB), and *Brian Balaguera v. Sirius XM Radio Inc.*, No. 10 Civ. 1058 (HB) shall and the same hereby is consolidated for all purposes with *Carl Blessing v. Sirius XM Radio Inc.*, No. 09 Civ. 10035 (HB) (the “Consolidated Action”);

3. All papers filed in connection with the Consolidated Action shall be filed under *Carl Blessing v. Sirius XM Radio Inc.*, No. 09 Civ. 10035 (HB);

3. All documents previously filed and served to date in any of the cases consolidated herein are deemed filed and served and are a part of the record in the Consolidated Action;

4. All related actions subsequently filed in, or transferred to, this district shall be consolidated into this action, and shall be governed by this order, absent other order of this Court. Any party to such an action objecting to consolidation, or to any provision of this order, not later than 10 days after the date a copy of this order is sent to it or its counsel, shall file a motion setting forth such objections;

5. Pursuant to Rule 23(g) of the Federal Rules of Civil Procedure, the law firms of Grant & Eisenhofer P.A., Cook, Hall & Lampros, LLP, and Milberg LLP are appointed plaintiffs’ Interim Class Counsel;

6. Interim Class Counsel shall have the following responsibilities and duties to perform or delegate as appropriate:

(a) to direct and execute on behalf of plaintiffs all pleadings and filings with the Court;

(b) to brief and argue motions;

(c) to initiate and conduct discovery, including, without limitation, coordination of discovery with defendants' counsel, the preparation of written interrogatories, requests for admissions, and requests for production of documents;

(d) to direct and coordinate the examination of witnesses in depositions;

(e) to appoint a spokesperson for plaintiffs at pretrial conferences;

(f) to call and chair meetings of plaintiffs' counsel as appropriate or necessary from time to time;

(g) to initiate and conduct any settlement negotiations with counsel for defendants;

(h) to provide general coordination of the activities of plaintiffs' counsel and to delegate work responsibilities to selected counsel as may be required in such a manner as to lead to the orderly and efficient prosecution of this litigation and to avoid duplication or unproductive effort;

(i) to consult with and employ experts;

(j) to receive and review periodic time reports of all attorneys on behalf of Plaintiffs, to determine if the time is being spent appropriately and for the benefit of plaintiffs, and to determine the allocation of any attorneys' fees;

(k) to direct all pretrial proceedings, trial preparation, trials and post-trial proceedings; and

(l) to perform such other duties as may be required by the case or expressly authorized by further order of this Court.

7. Plaintiffs will file a Consolidated Complaint no later than March 22, 2010, as agreed upon at the pretrial conference held on March 4, 2010.

8. Defendants will file a responsive pleading to the Consolidated Complaint by no later than April 12, 2010, as agreed upon at the March 4 pretrial conference, and it will be fully-briefed by May 14, 2010.

HBJ 9. Should a fee be awarded in this matter it is understood that while separate applications may be submitted any overlap in time or duplication in work will be taken into consideration prior to any award.

ORDERED this 17 day of March, 2010.



HON. HAROLD BAER, JR.
UNITED STATES DISTRICT JUDGE

9. Should a fee be awarded in this matter it is understood that while separate applications may be submitted any overlays in time or duplication in work will be taken into consideration prior to any award.